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MAILED

MAY 22 2012

OFFICE OF PETITIONS

Patent No. 6,149,165 :
Tuan Nguyen :
Issue Date: November 21, 2000:
Application No. 09/104,852 : ON REQUEST FOR REFUND
Filed: June 25, 1998 :
Attorney Docket No. NGU1-A94A :

This is in response to the letter received by facsimile on May 3, 2012, which is being treated as a request for refund. (It is noted that no prior requests for refund were received. Patentee should note that the facsimile number for filing papers, other than withdrawals from issue, is 571-273-8300). Patentee requests that an overpayment of \$460 be refunded to his credit card ending in 9319.

The request is **dismissed**. The entire refund due, in the amount of \$2620, was processed as a credit to the credit card ending in 9319 on October 21, 2011. A review of the record does not reveal that any further refund is due.

Patentee acknowledges the refund of \$2620, but believes that an additional \$460 refund is due. The undersigned has reviewed the financial records and observes the following:

- \$515 (\$455 (1st maintenance fee) + \$65 (surcharge)) was paid by credit card on May 25, 2005 with initial petition;
- By decision mailed June 30, 2005, the petition was dismissed. Patentee did not show that the fee was timely paid on May 27, 2004;
- As no renewed petition was filed, the \$515 was sua sponte refunded by Office on January 9, 2006. It is noted that

the petition was treated under \$1.377 but the (refundable) \$400 petition fee was not charged;

- \$2620 was refunded on October 21, 2011.

Further, the Office has properly retained the following fees:

On accounting date of 9/29/11

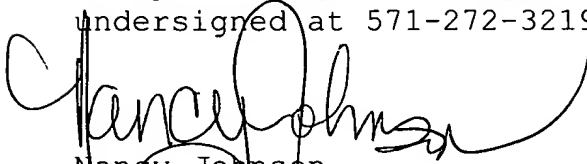
- \$455 (1st maintenance fee) and \$65 surcharge;
- \$1240 and 1640 (2nd maintenance fee) and (unintentional fee);

On accounting date of 10/21/11

- \$400 nonrefundable fee for request for reconsideration of petition under 37 CFR 1.378(b).

Receipt of third maintenance fee on May 21, 2012 is acknowledged.

Telephone inquiries regarding this letter may be directed to the undersigned at 571-272-3219.



Nancy Johnson
Senior Petitions Attorney
Office of Petitions